

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**RANDY E. ST. CLAIR d/b/a ST. CLAIR
INDUSTRIES, INC. (a dissolved corporation),**

Defendant.

Case No. 99-cr-30206-DRH

ORDER

HERNDON, District Judge:

Movant Steven M. “Mike” Stout d/b/a Stout’s Production (“Stout”), files a Motion for Leave to Intervene (Doc. 77) in the pending garnishment action. Stout brings this Motion pursuant to Section 3013 of the Federal Debt Collection Procedure Act (“FDCPA”). **28 U.S.C. § 3013**. Movant also requests the matter be referred to a United States Magistrate Judge, pursuant to **28 U.S.C. § 3008**. The Motion states that the Government has no objection to Stout’s requested relief. Further, Defendant has not timely consent or opposed the Motion.

Section 3013 of the FDCPA allows the Court “at any time on its own initiative or the motion of any interested person, and after such notice as it may require, make an order denying, limiting, conditioning, regulating, extending, or

modifying the use of any enforcement procedure under this chapter.” **28 U.S.C. § 3013.** Section 3008 of the FDCPA allows a district court to “assign its duties in proceedings under this chapter to a United States magistrate judge.” **28 U.S.C. § 3008.**

As this Motion (Doc. 77) is not opposed, it is hereby **GRANTED**, allowing Stout leave to intervene in the pending garnishment action. Additionally, the Court hereby **FINDS**:

- (a) Movant Steven M. “Mike” Stout is an “interested person” within the meaning of **28 U.S.C. § 3013**;
- (b) Linda St. Clair, Western Kentucky Petroleum, Inc., Donald J. Lehne, Drennan Cloyd, Stanley Hutchcraft and Dale Witsman also constitute interested parties who possess or may possess claims against the Bi-Petro funds and/or the Crooks Lease/leasehold estate; and
- (c) this Court has proper authority to join all interested parties in this case in accordance with **28 U.S.C. § 3013.**

IT IS SO ORDERED.

Signed this 23rd day of January, 2007.

/s/ David RHerndon
United States District Judge